

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMAR MCMILLIAN

Plaintiff,

v.

BRIAN DOUGLAS,

Defendant.

CIVIL ACTION
NO. 16-00094

ORDER

AND NOW, this 13th day of June, 2016, upon consideration of Defendant Brian Douglas's motion to dismiss (ECF No. 8), Jamar McMillian's response in opposition (ECF No. 9), and oral argument held on June 8, 2016 (ECF No. 12), it is **ORDERED** that the motion is **GRANTED**. McMillian's Fourteenth Amendment claim, official capacity claim and any request for injunctive relief is **DIMISSED WITH PREJUDICE**. McMillian's false arrest, false imprisonment and malicious prosecution claims are **DIMISSED WITHOUT PREJUDICE**. McMillian is given leave to amend consistent with the rules and deadlines in Federal Rule of Civil Procedure 15.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.